

Atty. Docket No.: 25436/2233

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Brown  
Serial No.: 10/691,874  
Filed: October 23, 2003  
Entitled: Apparatus for Thermally Cycling  
Samples of Biological Material with  
Substantial Temperature Uniformity

Examiner: Jeffrey, John A.

Group Art Unit: 3742

Conf. No.: 6761

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL LETTER

Sir:

1. Transmitted herewith is an amendment in response to the Office Action mailed on December 1, 2004 in the above-referenced patent application.

STATUS

2. Applicant is  
☒ a small entity.  
☐ other than small entity.

EXTENSION OF TIME

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

☐ Applicant petitions for an extension of time under 37 CFR 1.136

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	ONE month	\$120.00	\$60.00
<input type="checkbox"/>	TWO months	\$450.00	\$225.00
<input type="checkbox"/>	THREE months	\$1,020.00	\$510.00
<input type="checkbox"/>	FOUR months	1,590.00	\$795.00
<input type="checkbox"/>	FIVE months	\$2,160.00	\$1,080.00
	Fee		\$

If an additional extension of time is required, please consider this a petition therefor.

- (a) ☐ An extension for \_\_\_\_\_ has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

**OR**

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

CLAIMS AS AMENDED						
	(1)	(2)	(3)			
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	47	minus	47	0	x \$50	0.00
INDEPENDENT CLAIMS	3	minus	3	0	x \$200	0.00
MULTIPLE DEPENDENT CLAIM ADDED	No				\$360	0.00
				<b>TOTAL</b>		<b>0.00</b>
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2 and enter amount here.				<b>SMALL ENTITY TOTAL</b>		<b>0.00</b>

- (c) ☒ No additional fee for claims is required.

**OR**

- (d) ☐ Total additional fee for claims required \$ \_\_\_\_\_

### FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ \_\_\_\_\_

☒ Charge Deposit Account No. 16-0085, Reference No. 25436/2233 any additional necessary fees.

☐ Charge the amount of \$            to Deposit Account No. 16-0085, Reference No.            and any additional necessary fees. A duplicate of this transmittal is attached.

Date: March 1, 2005

Respectfully submitted,

David J. Dufrenoy Reg. No. 46,678 For

Name: Kathleen M. Williams

Registration No.: 34,380

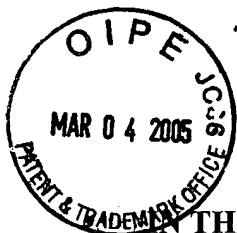
Customer No.: 27495

Palmer & Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100



SIFW

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a**

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

*David J. Dykeman*

Signature of Person Mailing Paper

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Amendment and Reply in Response to Office Action mailed December 1, 2004;
2. Amendment Transmittal Letter; and
3. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 25436/2233. A duplicate of this transmittal letter is enclosed for this purpose.

Date: March 1, 2005

Respectfully submitted,

*David J. Dykeman* Reg. No. 46,678 For

Name: Kathleen M. Williams

Registration No.: 34,380

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David J. Dykeman

Name of Person Mailing Paper

*David J. Dykeman*

Signature of Person Mailing Paper

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**AMENDMENT AND REPLY**

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on December 1, 2004 in the above-identified application. Reconsideration and further examination are requested.

**Amendments to the Title** are shown on page 2 of this paper.

**Amendments to the Claims** are shown in the "Listing of the Claims" which begins on page 3 of this paper.

**Remarks** begin on page 10 of this paper.

Please enter the following amendments and remarks.

Amendments to the Title:

Please amend the Title at page 1 as follows:

**Apparatus ~~And Method~~ for Thermally Cycling Samples of Biological Material with  
Substantial Temperature Uniformity**